

insured. If a person is permitted to drive, the obligation to keep the vehicle insured whilst he drives is absolute.

The arrangement of the defendant with Lee Ah Gee, who is her brother, seems to have been an informal one by which the defendant was paid an amount which varied according to the takings. I am satisfied that the defendant knew that Low Bah Bee was driving and that she could have put an end to the arrangement at any time and, if she chose, she could have prevented him from driving. It seems therefore that in the ordinary use of words she must be considered to have permitted him to drive.

It remains to consider the amount of damages. There are two items of special damage, which are not disputed, for \$300 and \$350.

For loss of expectation of life I assess the damage at \$1,500.

There remains the question as to damages under the local equivalent of Lord Campbell's Act. On this point I had the advantage of hearing the evidence of Mr. Nesbit, an actuary. According to him, the financial loss, assuming that what the deceased gave to his wife was perfectly secured, granted an expectation of life of twenty years and interest at $3\frac{1}{2}\%$, would be \$9,780. From this must be deducted \$1,500 awarded for loss of expectation of life. This would leave \$8,280. Whilst the deceased might have earned less than he did at the time of the accident, it would have been unlikely, unless there was a fall in the value of money, that he would have earned more. I assess the damage at \$7,000, of which \$1,000 is for the infant daughter and the balance for the widow.

The defendant must pay the costs of the action.

Judgment for the plaintiff.

MAN WOO v. REX.

[App. Crim. Juris. (Murray-Aynsley, C.J.)
January 31, 1951]

[Singapore — Magistrates Appeal No. 110 of 1950]

Evidence Ordinance, s. 25 — Statement made to Senior Customs Officer — Whether Customs Officer is a Police Officer.

In this case the appellant was charged with having possession of 377 tahils 6 chis of opium, an offence punishable under section 3(3) of the Opium and Chandu Proclamation. During the course of the trial a statement made to a Senior Customs Officer which amounted to a confession by the appellant was admitted in evidence.

The appellant's Counsel contended that Customs Officers are Police Officers and therefore the statement made by the appellant was inadmissible.

Held, that Customs Officers are not Police Officers, although in a sense the activities of all Government officers engaged in enforcing the law are police duties and it is entirely contrary to the ordinary use of language to describe officers so engaged as Police Officers.

MAGISTRATE'S APPEAL.

W. E. Demuth for the appellant.

A. V. Winslow (D.P.P.) for the Crown.

Murray-Aynsley, C.J. : — This was a chandu case. At the hearing the question was raised as to the interpretation of section 25 of the Evidence Ordinance.

In the present case a statement was made to a Senior Customs Officer. It is true that in a sense the activities of all Government officers engaged in enforcing the law are police duties. It is nevertheless, in my opinion, entirely contrary to the ordinary use of language to describe officers so engaged as Police officers. Further, the addition of the words "below the rank of Inspector" can only have reference to that body ordinarily known as the "Police" and which is governed by the Police Ordinance.

Apart from this matter the case does not call for any comment, except that there was ample evidence to justify the conviction, and the sentence was in no way excessive.

The appeal is dismissed.

Appeal dismissed.